

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Brian B. Egan
Serial No. 09/750,766
Filed: 12/28/2000

Examiner: Clemence S. Han
Art Unit: 2616

For: **VOICE OPTIMIZATION IN A NETWORK HAVING VOICE OVER INTERNET
PROTOCOL COMMUNICATION DEVICES**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

ONE-MONTH EXTENSION OF TIME

Please consider this a request for a One-month Extension of Time for responding in the above-identified application. Enclosed is a payment in the amount of \$120.00 to pay the fee associated with this extension of time. A Notice of Appeal is being filed concurrently with this extension.

A final office action was issued in this application on February 28, 2007. Applicant filed a response after final on April 30, 2007, the first business day after the two-month date. Accordingly, Applicant filed a response by the two-month date pursuant to MPEP 706.07(f). Applicant has yet to receive an advisory action as of August 28, 2007, despite multiple phone calls to Examiner Han and Supervisor Vu, and assurances that an office action of some sort was forthcoming. On an August 28, 2007 telephone call, Supervisor Vu assured Applicant's representative, John R. Witcher, III, that an advisory action would be mailed on or soon after August 28, 2007. Based on this representation and the fact that Applicant has not received an advisory action prior to the six-month date after the final rejection, Applicant believes that only a one-month extension of time is necessary pursuant to MPEP 706.07(f) and C.F.R. § 1.136(a). However, if any additional extension of time fees, or other fees, are required in association with this request in order to avoid abandonment of this application, the Director is hereby authorized to charge them to Deposit Account 50-1732, and to consider this a petition therefor.

Respectfully submitted,



John R. Witcher, III
Registration No. 39,877

Withrow & Terranova, P.L.L.C.
Customer No. 27820
100 Regency Forest Drive, Suite 160
Cary, NC 27518
Telephone: (919) 238-2300

Date: August 28, 2007
Attorney Docket: 7000-526